

private sector business and attract increased private capital investment" (Section 2(a)(3)(C) of PWEDA).

EDA is authorized to provide assistance only to an "eligible recipient," as that term is defined in PWEDA. An "eligible recipient" means a(n) (1) economic development district; (2) Indian tribe; (3) State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities; (4) city or other political subdivision of a State; (5) institution of higher education; or (6) public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State (Section 3(4)(A) of PWEDA). No for-profit entity is eligible to receive EDA assistance with one exception: EDA may provide a grant to a for-profit entity under its Training, Research and Technical Assistance program (Section 3(4)(B) of PWEDA). However, this relatively small program is not applicable to the provision of EDA assistance for the reuse of former military installations.

For the most recent BRAC round, beginning in FY 1994, Congress (Commerce-Justice-State appropriators) began adding a Defense Economic Adjustment line item to EDA's annual appropriations. In FY 1994, EDA received \$80 million in defense economic adjustment funding. The high-water mark of this round came in FY 1995, with BRAC '95 underway, in which EDA received an appropriation of \$125 million in defense economic adjustment funding that was subsequently slightly reduced due to an across-the-board rescission that year. Defense economic adjustment appropriations then slowly declined through FY 2001. The table below depicts actual EDA Defense Economic Adjustment appropriations (after any rescissions or adjustments) for the most recent BRAC round.

(Dollars in millions, after rescissions, if any)

Fiscal year	Defense Economic Adjustment appropriation
1994	\$80
1995	120
1996	90
1997	90
1998	89
1999	84.8
2000	77.3
2001	31.4

Defense Economic Adjustment appropriations have been allocated among EDA's six (6) regional offices based on a variety of factors, including the number of major installation closures located within the regional office's designated region, the number of military and civilian personnel dislocations resulting from base realignments, the number of affected defense installation contractors (not relevant to the current round), and the relative economic distress level of the affected area.

Each fiscal year, EDA's regional offices have awarded assistance to BRAC-affected communities based on the policies and procedures in place at the time of each award. These policies and procedures are published in the Federal Register each year in EDA's Federal Funding Opportunity ("FFO") notice. The FFO also specifies EDA's Funding Priorities for the funding available during that fiscal year. Funding Priorities include such items as investing in transportation, communications, or other sector-specific infrastructure enhancements. In no instance has any one funding priority utilized all of a regional office's defense economic adjustment allocation. Rather, investments are made across different priority areas based on the needs of the local and regional economy.

EDA Defense Economic Adjustment investments made during the most recent BRAC round, covering the period from FY 1994 through FY 2001, are depicted in the enclosed tables. As requested, the tables include the investment recipient, location, EDA grant dollars, and jobs and private investment realized when available.

Thank you for this opportunity to explain EDA's mission and its policies and procedures related to BRAC, and to provide additional information on EDA's past BRAC-related investments.

If you have any additional questions, please do not hesitate to contact David T. Murray, EDA's Director of Intergovernmental Affairs, at (202) 482-2900.

Sincerely,

BENJAMIN ERULKAR,
Chief Counsel.

Mr. INHOFE. Then, also, the permitting process is a small part of this amendment, but it is a very important part. It is a part that we have, subtitle A, about 4 pages, talking about trying to make the permitting process more streamlined. And that is where I used the statement from Senator FEINSTEIN, who certainly agrees when she says: I can see where a cumbersome permitting process with uncertain outcomes would make it difficult to plan and implement projects.

Well, that is just one of the many things that we are trying to correct with this bill. Again, I have responded to all of the other statements that were made. I would repeat in terms of the environment, I am going to go ahead and submit for the RECORD at this point, along with the letter on the EDAs, a letter from the Environmental Council of the States, when they state very specifically: The bill does not weaken the standards and allows each State to choose its best course for most matters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL COUNCIL
OF THE STATES,
Washington, DC, October 25, 2005.

Re S. 1772 Gas PRICE Act.

Hon. JAMES M. INHOFE,
Chairman, Senate Committee on Environment
and Public Works, Dirksen Senate Office
Building, Washington, DC.

Hon. JAMES M. JEFFORDS,
Ranking Member, Senate Committee on Environment
and Public Works, Dirksen Senate
Office Building, Washington, DC.

DEAR CHAIRMAN INHOFE AND SENATOR JEFFORDS: I am writing to provide comments on behalf of the Environmental Council of the States (ECOS) on the above bill. ECOS is the national, non-partisan association of the States' environmental agency leadership.

We appreciate the Senate's desire to address the shortcomings of the nation's refinery processes exposed by the recent hurricanes and hope our comments assist you.

States implement most of the federal environmental statutes on behalf of the federal government, including most programs that regulate the nation's refiners. These include the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act. States issue most of the environmental permits pursuant to these Acts, as well as conducting the inspections, monitoring and enforcement.

While each State's opinions may vary over the details of the bill, we can agree that the

bill takes an approach that we would like to see in more legislation. I speak here of the "opt-in" feature.

In this approach, the Governor of each State decides whether the benefits the bill provides are appropriate for the State. This includes the streamlined permits approach, the judicial review of such arrangements (Title II), and the fuels waiver (Title IV). Some concern remains about the special fuels provisions. We appreciate that within Title IV a state would be held harmless under section 110 to account for the emissions from a waiver granted by the Administrator at the request of that State. We would not expect such emissions to significantly contribute to another state's air quality issues, but would note that the protection afforded should be limited to that extent.

ECOS has long emphasized the need for the flexibility that allows each State to tailor its environmental programs according to its needs. This bill does not weaken the standards and allows each State to choose its best course on most of the matters detailed in the bill.

Our primary reservation is that the bill, if passed, not be conferenced with the recent Gasoline Security Act of 2005, passed by the House.

Sincerely,

STEPHANIE HALLOCK,
President.

Mr. INHOFE. I think there is a basic, as I said before, problem in disagreement on the floor of this body when there are a lot of people who do not think that decisions, good decisions, are made unless they are made in Washington, DC.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I just have one last response. I don't know how many of my colleagues ever sat on a redevelopment agency. I happen to have done so when I was on county board of supervisors. And it is disingenuous to say it is the redevelopment agency that gets the benefit. The redevelopment agency is the conduit to the private sector, and that is where the benefit goes.

Now, in many cases it is totally fine. When I sat on the redevelopment entity, it was because we had a very run-down part of our county that needed support. And so whatever it was we could give to them, any benefit in the Tax Code, et cetera, that is what we did.

But how about this? The benefit goes to the particular businesses now that are making record profits. I would tell you, the American people looking at this debate are going to say: Why aren't you protecting us from price gouging like Senator CANTWELL suggests? That is the bill that is in the package, not this bill which essentially says we are taking away clean air protection, we are going to have 50 different standards here, 50 different permit processes. What a nightmare. We are giving away the money of the taxpayers to the biggest corporations in America that are making the most money ever—not only giving them the land but paying them back for all of their costs.